IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1983 OF 2007
IN
NOTICE OF MOTION NO.688 OF 2006
IN
SUIT NO.3385 OF 2005

Rajesh R. Doshi through his wife & duly
constituted attorney, Mrs. Mayuri R. Doshi ...Appellant
Vs.
GEA Messo AG, Switzerland through its
Dy. Managing Director, Mr. Paramanad Bhansal ...Respondent

Mr. More for Appellant/Plaintiff
Ms. Tulika Srivastava i/b. DSK Legal for
Respondent/Defendant

CORAM: SMT. ROSHAN DALVI, J.
DATED: 1ST AUGUST, 2007

P.C.

1. The Notice of Motion is not even served upon the Defendant' s Advocate. This Notice of Motion is for restoration of a previous Notice of Motion No.688 of 2006, dismissed for default on 6th March, 2007. The learned Advocate for the Defendant fairly concedes that, that Notice of Motion may be heard on merits in the interest of justice.

Hence, the order of dismissal of Notice of Motion No.688 of 2006 is set aside and Notice of Motion No.688 of 2006 is restored to file for being heard on merits.

2. Notice of Motion No.688 of 2006 is adjourned for two weeks.

3. The above Notice of Motion is disposed off accordingly.

(SMT. ROSHAN DALVI, J.)